

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51312 of 2024

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

SANTOSH RAI @ GOLU RAI SON OF INDRADEO RAI RESIDENT OF
VILLAGE - SUKUMARPUR, P.S. - RUSTAMPUR O.P., DISTRICT -
VAISHALI

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2024 Heard the parties.

2. The petitioner is in custody in connection with Raghopur (Rustampur O.P.) P.S. Case No. 126 of 2019 for the offence punishable under sections 147, 148, 149, 341, 342, 323, 452, 354, 307, 326, 302, 201, 120(B), 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act lodged on 09.09.2019 by the informant, Bhulli Devi.

3. As per the prosecution story, the allegation against three set of accused persons is/are of killing/cutting three persons and two of them into pieces.

4. So far as the present petitioner is concerned, allegation against him is that he is in the second set of people who took away Chanarik Rai and after killing, cut down into



pieces.

5. The case of the petitioner is that some others similar situate accused persons have been granted bail and in that backdrop, he also deserves the same.

6. Learned APP, Mr. Jitendra Kumar Singh has made two fold submissions:

(i). the case was lodged in the year 2019 and the trial started in the year 2023, this petitioner evaded arrest for five years and has not come for bail and is in jail only since 10.05.2024 (paragraph-4 of the petition);

(ii). he is an accused in eight criminal cases.

7. This Court finds force in the submission of learned APP, the trial got delayed only because the accused persons which include this petitioner chose to abscond. Allegation is there, he has eight criminal antecedent under his belt and in that backdrop, he cannot equate his case with other co-accused. It would be appropriate that he faces trial.

8. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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